IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3033 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAFIQBHAI AHMED A MOTIWALA

Versus

REGIONAL PASSPORT OFFICER,

Appearance:

1. Special Civil Application No. 3033 of 2003

MR MM TIRMIZI for Petitioner No. 1

MR NJ SHAH FOR

MR DN PATEL Sr. Central Govt. Standing Counsel for Respondent No. 1

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 26/03/2003

ORAL JUDGEMENT

1. Heard the learned counsel for the parties.

2. This petition has been filed for a direction to the respondent passport authority to make correction in the passport issued to the petitioner regarding birth date of the petitioner as 22nd November, 1948 in place of 31st May, 1948.

3. Learned counsel for the petitioner states that the petitioner has moved an application for the aforesaid purpose. However, the respondent authority has not passed any order saying that they have no authority to make correction in the passport unless an order passed by the Court of competent jurisdiction is produced on the record.

4. In the facts and circumstances of this case, this petition is allowed and the respondent authority is directed to consider the application/representation filed by the petitioner for the aforesaid purpose and pass an appropriate order in accordance with law on the basis of the material produced by the petitioner, within a period of four weeks from the date of presentation of a certified copy of this order. The respondent authority would be at liberty to pass appropriate order with regard to the costs of these proceedings. Rule is made absolute to the aforesaid extent. D.S. is permitted.

(Kundan Singh, J.)

/JVSatwara/